

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Ankur Bhatt et al.	Art Unit	: 2169
Serial No.	: 10/699,170	Examiner	: Paul L. Kim
Filed	: October 31, 2003	Conf. No.	: 1615
Title	: DATA IMPORTATION AND EXPORTATION FOR COMPUTING DEVICES		

Mail Stop Appeal Brief - Patents

Commissioner for Patents

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REPLY BRIEF

Pursuant to 37 C.F.R. § 41.41, Appellant responds to the points raised in the Examiner's Answer dated January 26, 2009 as follows.

Claims 1, 2, 6-8, 10, 13-16, 19, and 20 are not properly rejected under 35 U.S.C. § 103 as being unpatentable over Multer in view of Haley and Howard

Claims 1, 2, 6-8, 10, 13-16, 19, and 20 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,671,757 (Multer), in view of U.S. Patent No. 6,948,133 (Haley) and U.S. Patent No. 6,768,994 (Howard). Notwithstanding comments made in the Examiner's Answer, Appellant maintains the positions previously articulated in the Appeal Brief that each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest all of the features of independent claims 1, 8, and 15.

For example, each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest copying at least one data element and a related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, as recited in independent claim 1.

The Examiner's Answer indicates that these features are found in Howard. See Examiner's Answer at page 9. However, Howard relates to very different functionality than claim 1. Specifically, Howard converts data to XML format to generate database reports for vehicles and fleet summaries that are displayed to a user. See Howard at col. 1, lines 15-22 and col. 10, lines 31-40. As such, the Howard system does not copy at least one data element and a related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data

type. Rather, the Howard system converts data to XML format to display the data on a web page, which is not copying data to an export data file.

In addition, the Examiner's Answer states:

Additionally, Appellant asserts the argument that "the Howard system does not convert data to ActiveX Data Object specific extensible markup language files by data type." . . . The Examiner respectfully disagrees in that ActiveX Data Objects inherently consist of several top-level objects (i.e. a data type) such as the Recordset Object and the Field Object. Wherein Howard et al discloses that Recordset (i.e. a data type) is obtained and transformed into XML format, one of ordinary skill in the art would have readily applied said disclosure to read upon the claimed feature of converting ADO XML files by data type. Examiner's Answer at pages 9-10.

Although an ActiveX Data Object may inherently consist of several top-level objects such as the Recordset Object and the Field Object, Appellant submits that claim 1 is not met by an ActiveX Data Object that consists of several top-level objects. In particular, claim 1 recites converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type. As such, claim 1 requires that the at least one data element and the related data element are converted to multiple extensible markup language (XML) files. The fact that an ActiveX Data Object may inherently consist of several top-level objects does not describe or suggest converting data elements to multiple XML files. Moreover, although Howard describes that data is converted to XML format and returned to an Active Server Page, Howard does not describe or suggest that data elements are converted to multiple XML files.

Further, claim 1 requires that the multiple XML files are organized by data type. Because neither the inherent properties of ActiveX Data Objects nor the disclosure of Howard describe or suggest converting data elements to multiple XML files, the inherent properties of ActiveX Data Objects and the disclosure of Howard also necessarily fail to describe or suggest that the multiple XML files are organized by data type.

Moreover, in converting data, Howard describes that record set data is transformed into XML format and returned to a calling Active Server Page. See Howard at col. 10, lines 31-40. Howard, however, does not describe or suggest that the data type of the record set data is used to organize the record set data after conversion, much less that the data type of the record set data is used to organize the record set data into multiple XML files by data type (e.g., a first XML file

for data elements of a first data item type and a second, different XML file for data elements of a second, different data item type).

For at least these reasons, Howard fails to describe or suggest copying at least one data element and a related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, as recited in independent claim 1. Accordingly, Appellant submits that the rejection of independent claim 1 is improper and requests reversal of the rejection of independent claim 1 and its dependent claims.

Independent claim 8 defines a system that executes the method of claim 1, and defines subject matter that is patentable over Multer, Haley, and Howard for at least the reasons discussed above with reference to claim 1. Accordingly, for at least these reasons, Appellant respectfully requests reversal of the rejection of independent claim 8 and its dependent claims.

Independent claim 15 defines an article including a machine-readable medium storing machine-readable instructions that, when applied to the machine, cause the machine to perform the method of claim 1. Thus, claim 15 defines subject matter that is patentable over Multer, Haley, and Howard for at least the reasons discussed above with reference to claim 1. Accordingly, for at least these reasons, Appellant respectfully requests reversal of the rejection of independent claim 15 and its dependent claims.

Claims 2, 10, and 16 are not properly rejected under 35 U.S.C. § 103 as being unpatentable over Multer in view of Haley and Howard

With respect to dependent claims 2, 10, and 16, Appellant requests reversal of the rejection of claims 2, 10, and 16 at least for the reason of their dependency on claims 1, 8, and 15, respectively. In addition, notwithstanding comments made in the Examiner's Answer, Appellant maintains the positions previously articulated in the Appeal Brief that each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest the additional subject matter recited in dependent claims 2, 10, and 16.

For example, each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest comparing the at least one data element to a data element stored in a

reference export data file and storing the at least one data element to the export data file based on the comparison, as recited in dependent claims 2, 10, and 16.

In addressing the above-referenced features, the Examiner's Answer states:

It is noted that Multer et al discloses a system for identifying difference information by comparing and extracting the differences (i.e. comparing data elements) between a file to be transmitted to System B and a file residing on System B (i.e. a reference export data file). Accordingly, wherein differences exist between the file to be transmitted to System B and the file currently residing on System B, the differencing transmitter of Multer constructs and transmits the difference information (i.e. an export data file). It is noted for purposes of clarification that "a reference export data file" and "the export data file" are to be distinguished from each other. Examiner's Answer at page 10.

The argument presented in the Examiner's Answer refers to the target data file on the system receiving the export data file as being the reference export data file. However, Appellant submits that the target data file that is being updated based on the export data file is not a reference export data file, as the target data file is not exported. Accordingly, Appellant submits that Multer fails to describe or suggest comparing the at least one data element to a data element stored in a reference export data file and storing the at least one data element to the export data file based on the comparison, as recited in dependent claims 2, 10, and 16. Accordingly, for at least these additional reasons, Appellant requests reversal of the rejection of claims 2, 10, and 16.

Claim 4 is not properly rejected under 35 U.S.C. § 103 as being unpatentable over Multer in view of Haley, Howard, and Yuen

With respect to dependent claim 4, Appellant requests reversal of the rejection of claim 4 at least for the reason of its dependency on claim 1. In addition, notwithstanding comments made in the Examiner's Answer, Appellant maintains the positions previously articulated in the Appeal Brief that each of Multer, Haley, Howard, Yuen, and the proposed combination fail to describe or suggest the additional subject matter recited in dependent claim 4.

For example, each of Multer, Haley, Howard, Yuen, and the proposed combination fail to describe or suggest that the at least one data element represents a report and the related data element represents a graphical illustration of data in the report, as recited in dependent claim 4.

In addressing the above-referenced features, the Examiner's Answer states:

Appellant asserts the argument that Yuen fails to describe or suggest "that a related data element represents a graphical illustration of data in the report, where the related data element is accessed

from a source database from which the data elements used in the report are accessed." See Appeal Brief, page 8. The Examiner respectfully disagrees. Wherein Yuen discloses a system comprising of parameters which are used in configuring and generating a report for display, it would have been obvious to one of ordinary skill in the art that said parameters (i.e. a related data element) are used in the generating (i.e. representing) report components such as the title, column headings, scroll bars, and other display areas (i.e. graphical illustration of data). Examiner's Answer at page 11.

Although Yuen describes that parameters are used to generate a graphics-based report, Yuen does not describe or suggest that a related data element represents a graphical illustration of data in the report, where the related data element is accessed from a source database from which the data elements used in the report are accessed and is copied to an export data file with the accessed data elements. Rather, Yuen merely describes that a report may be generated using parameters. Accordingly, Appellant submits that Yuen fails to describe or suggest that the at least one data element represents a report and the related data element represents a graphical illustration of data in the report, as recited in dependent claim 4. Accordingly, for at least these additional reasons, Appellant requests reversal of the rejection of claim 4.

In addition, the Examiner's Answer states:

It is noted that Howard et al discloses an invention wherein data converted to XML format is sent to a client to pre-fill the Report Editor ActiveX control such that the report may be displayed as bar and pie charts. Examiner's Answer at page 11.

Similar to Yuen, although Howard describes that a report may be displayed as a chart, Howard does not describe or suggest that a related data element represents a graphical illustration of data in the report, where the related data element is accessed from a source database from which the data elements used in the report are accessed and is copied to an export data file with the accessed data elements. Rather, Howard merely describes that a report may include a bar or a pie chart. Accordingly, Appellant submits that Howard fails to describe or suggest that the at least one data element represents a report and the related data element represents a graphical illustration of data in the report, as recited in dependent claim 4. Accordingly, for at least these additional reasons, Appellant requests reversal of the rejection of claim 4.

Conclusion

For these reasons, and the reasons stated in the Appeal Brief, Appellant submits that the final rejections should be reversed. The Director is hereby authorized to charge any fees under

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37 C.F.R. 1.16 and 1.17 which may be required by this paper to Deposit Account No. 06-1050.
The Director also is hereby authorized to apply any additional fees or credits to Deposit Account
No. 06-1050.

Respectfully submitted,

Date: March 3, 2009

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